

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

| | | |
|---------------------|---|--------------------------|
| In Re: |) | |
| |) | BANKR. NO. 19-24089-GLT |
| DANTE CONDELUCI and |) | |
| HEATHER CONDELUCI, |) | CHAPTER 13 |
| |) | |
| Debtors. |) | |
| _____ |) | |
| |) | |
| DANTE CONDELUCI and |) | |
| HEATHER CONDELUCI, |) | Related to Docket No. 63 |
| |) | |
| Movants/Debtors, |) | |
| vs. |) | |
| |) | |
| EXETER FINANCE LLC, |) | |
| |) | |
| Respondent. |) | |

ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

This matter comes before the Court upon Motion to Approve Financing filed on March 5, 2021, Doc. No. 58 (“the Motion”) filed by Movants Dante Condeluci and Heather Condeluci (“Debtors”).

Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Motion* is **GRANTED** as provided by the terms of this *Order*. Debtors are authorized to obtain secured financing for the purchase of a replacement vehicle with Respondent Exeter Finance, Inc., or another creditor, on the following terms:

(a) the total amount of financing **shall not exceed \$20,000.00**; and

(b) the monthly payments made under the financing agreement **shall not exceed \$541.07.**

2. To the extent that Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan.** Within **30 DAYS** of securing such financing, Debtors shall file: **a report of financing.**

3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan.

4. The trustee is authorized to make monthly adequate protection payments to Respondent, or to the creditor identified in the report of financing, for the contract amount so long as sufficient supplemental funds are provided by Debtors.

5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the Respondent, or to the creditor identified in the report of financing.

6. Debtors shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Prepared by: Glenn R. Bartifay, Esquire, Debtors' Counsel

Dated: _ April 15, 2021



GREGORY L. TADDONIO,
United States Bankruptcy Court

Case Administrator to Mail to:

Debtor(s)
Counsel for Debtor(s)
Ronda J. Winnecour, Esq.
Office of the U.S. Trustee

In re:
Dante Condeluci
Heather Condeluci
Debtors

Case No. 19-24089-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Apr 15, 2021

User: llea
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 17, 2021:

| Recip ID | Recipient Name and Address |
|----------|---|
| db/jdb | + Dante Condeluci, Heather Condeluci, 102 Caldwell Street, Mc Kees Rocks, PA 15136-2569 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 17, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 15, 2021 at the address(es) listed below:

| Name | Email Address |
|-------------------|--|
| Brian Nicholas | on behalf of Creditor FLAGSTAR BANK FSB bnicholas@kmlawgroup.com |
| Glenn R. Bartifay | on behalf of Joint Debtor Heather Condeluci gbartifay@bartifaylaw.com sfallat@bartifaylaw.com;gbartifay@yahoo.com;lkarageorgiou@bartifaylaw.com |
| Glenn R. Bartifay | on behalf of Debtor Dante Condeluci gbartifay@bartifaylaw.com sfallat@bartifaylaw.com;gbartifay@yahoo.com;lkarageorgiou@bartifaylaw.com |
| Jeffrey R. Hunt | on behalf of Creditor TOWNSHIP OF STOWE and STO-ROX SCHOOL DISTRICT jhunt@grblaw.com cnoroski@grblaw.com |
| Jerome B. Blank | on behalf of Creditor FLAGSTAR BANK FSB pawb@fedphe.com |

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Total Noticed: 1

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Maria Miksich

on behalf of Creditor FLAGSTAR BANK FSB mmiksich@kmlawgroup.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

Thomas Song

on behalf of Creditor FLAGSTAR BANK FSB pawb@fedphe.com

TOTAL: 10